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Serial No.: 10/712.093
Reply to Office action dated November 28, 2005.

REMARKS

In the Office action mailed November 28, 2005, claims 1, 4, 6, 8, 11, and 13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Seo et al. (U.S. Patent 6838836; hereinafter called "Seo"). The Seo reference qualifies as prior art only under 102(e). Claims 2, 7, 9, and 14 are rejected under 35 U.S.C. § 103 as being unpatentable over Seo as applied to claims 1, 8, and further in view of Duggal et al (U.S. Pre-grant Publication 2001003135; hereinafter called "Duggal").

The effective date of the Seo patent is its U.S. filing date, June 9, 2003. Applicants submit herewith proof that the claimed subject matter was invented prior to the effective date of the Seo reference. As set forth in the declaration of Gautam Parthasarathy, attached to the present Response, the subject matter was conceived of and reduced to practice at least as early as June 8, 2003, as evidenced by the document marked "Exhibit A." Exhibit A consists of an invention disclosure describing the claimed subject matter, showing that conception and reduction to practice occurred at least as early as June 8, 2003.

Because the claimed subject matter was invented prior to the effective date of the Seo reference, the Seo reference is not available as prior art under 35 U.S.C. § 102(e). Accordingly, absent the Seo reference, Applicants submit that a *prima facie* case of anticipation or obviousness has not been established. It is believed that the rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103 are overcome.

Applicants therefore respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

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If a telephone conference would be of assistance in advancing prosecution of the subject application, the Examiner is invited to telephone the undersigned attorney at the telephone number provided.

Respectfully submitted,



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